IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 36354 of 2007(C)

PETITIONER:

P.M. KAMARUDEEN,
KIZHAKEVELIYETHU HOUSE, EDAPPALLY NORTH VILLAGE,
ERNAKULAM.

BY ADV. SRI.P.F.FRANCIS
SRI.RADHAKRISHNA PILLAI.G.

RESPONDENTS:

---

1. THE SECRETARY,
CHERANELLOOR GRAMA PANCHAYATH, ERNAKULAM.

2. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO THE STATE,
GOVT. SECRETARIATE, TRIVANDRUM.

R1 BY GOVT. PLEADER MR.K.J.MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

- -

W.P.(C) No.36354 of 2007

- -

Dated: 7th December, 2007

JUDGMENT

Under challenge in this Writ Petition is Ext.P4 notice issued by the Secretary of the 1st respondent-Panchayat. Under Ext.P4 it is alleged that the petitioner is conducting a restaurant within the area of the Panchayat without obtaining licence. It is also alleged that the original of the licence application which the petitioner submitted against Ext.P3 was forcibly taken back by the petitioner. Even though Ext.P4 is challenged on various grounds, I do not propose to examine the merits of those grounds since the petitioner has remedy by way of appeal against Ext.P4. I dispose of the Writ Petition relegating the petitioner to that remedy. However, there will be a direction to the Secretary of the 1st respondent-Panchayat not to enforce Ext.P4 for a period of two weeks from today.

srd **PIUS C.KURIAKOSE, JUDGE**